

**IN THE UNITED STATES DISTRIC COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISON**

**KOURTNEE GREENWOOD, #179810 A 10:01
PETITIONER,**

VS.

**DEBRA P. HACKETT, ESQ.
U.S. DISTRICT CIVIL ACTION NO. : 2:05-CV-733-MHT
MIDDLE DISTRICT ALA**

**JAMES DELOACH, et al.,
RESPONDENTS,**

MOTION FOR LEAVE OF COURT TO SUBSTITUTE RESPONDENT

COMES now the Petitioner, Kourtnee Greenwood, pro se herein in the above styled cause and moves this Honorable Court to grant his motion for leave of court to substitute respondent and as grounds to support his motion the petitioner shows unto the court the following:

1.

Since the filing of the above action the Petitioner has been transferred to a private prison in the State of Louisiana and now to a private prison in the State of Alabama, the Respondents failed to get leave of court to transfer the Petitioner out of the jurisdiction of the court and now that the petitioner is in the jurisdiction of the court, the Petitioner asserts that Respondent David Streiff, whose address is Perry County Detention Center; Rte. 2, Box 176, Hwy. 80; Uniontown, AL. 36786-9334, is one of the real parties of interest, has custody of the Petitioner and is substituted in the place of Respondent James Deloach.

WHEREFORE THE PREMISES CONSIDERED, the Petitioner prays this Honorable Court to grant his motion for leave of court to substitute Respondent and Order that Respondent David Streiff is substituted in the place of Respondent James Deloach.

Done this the 12th day of October 2007.

Respectfully submitted,



Kourtnee Greenwood, #A-179810, pro se
Perry County Detention Center, Alpha-3
Rte. 2, Box 176, Hwy. 80
Uniontown, AL. 36786-9334

CERTIFICATE OF SERVICE

I, Kourtnee Greenwood, do hereby certify that I have this the 12th day of October, 2007, served a copy of the foregoing on the following by turning the same over to prison officials for deposit in the U.S. Mail, first class postage prepaid and properly addressed as follows:

Warden David Streiff
Perry County Detention. Center
Rte. 2, Box 176, Hwy. 80
Uniontown, AL. 36786-9334

Warden James Deloach
and/or his successor
Draper Correctional Facility
P.O. Box 1107
Elmore, AL. 36025-1107

Attorney General's Office
State of Alabama
11 South Union Street
Montgomery, AL. 36130

Respectfully,



Kourtnee Greenwood, #A-179810, pro se
Perry County Detention. Center, Alpha-3
Rte. 2, Box 176, Hwy. 80
Uniontown, AL. 36786-9334

10/12/07

Dear, Sir or Mam

My name is Kourtnee Greenwood
AIS# 179810, Civil Action No. 2:05-cv-
733-MHT. I am UNLEARNED in law,
so after I received these (2) two orders
from your Court, I showed them to a
guy here, and at that time he stated
he would help me file this Motion
for LEAVE of Court to Substitute Respo-
ndent, due to the fact I am no longer
in JAMES DeLOACH CUSTODY. So I ASK
and PRAY this Honorable Court will grant
the said Motion so we can proceed to
move farther in this matter. THANKS
for your Cooperation & TIME.

Sincerely, Kourtnee
Greenwood

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

KOURTNEE GREENWOOD, #179 810 *

Petitioner, *

v. * 2:05-CV-733-MHT

JAMES DELOACH, *et al.*, *

Respondents. *

ORDER

For good cause, it is

ORDERED that on or before October 30, 2007 Respondents shall file a copy of Petitioner's trial transcript from his December 2002 first degree robbery conviction.

Done, this 10th day of October 2007.

/s/ Wallace Capel, Jr.
WALLACE CAPEL, JR.
UNITED STATES MAGISTRATE JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

KOURTNEE GREENWOOD, #179810 *

Petitioner, *

v. * 2:05-CV-733-MHT

JAMES DELOACH, *et al.*, *

Respondents. *

ORDER

Upon consideration of Greenwood's petition for writ of habeas corpus (Doc. #1-2), as amended, (Doc. #19), the Court concludes that an evidentiary hearing is necessary. Accordingly, it is

ORDERED that the Federal Defender be and is hereby appointed to represent Petitioner.

Is further

ORDERED that this case be and is hereby set for a scheduling conference on November 7, 2007, at 9 a.m. This proceeding shall be conducted by telephone conference. Counsel for Petitioner shall set up the telephone conference. The purpose of this conference is to schedule the evidentiary hearing, thus the Court will expect the parties to be familiar with the issues and record.

Done, this 11th day of October 2007.

/s/ Wallace Capel, Jr.
WALLACE CAPEL, JR.
UNITED STATES MAGISTRATE JUDGE

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Kosciusko Greenwood #255 AIR 9810
Perry County Cor. Center, A-3, Bed-14
R.T. 2 Box 176, Huf. 80
Union Town, Alabama
36786

36786

Office of the Clerk
United States District
Court.

P. O. Box 711

Montgomery, Alabama, October 27, 1911.

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